

13. 2005Z-152U-07

Map 091-12, Parcels 125, 126, 127, 128, 130, 131
Subarea 7 (2000)
District 20 - Billy Joe Walls

A request to change from R6 and OR20 to CS district property located at 4605 Georgia Avenue and 600, 602, 606, 608 and 610 47th Avenue North (1.24 acres), requested by Bill Lockwood, engineer, for C & S Properties, owner.

Staff Recommendation: Disapprove

APPLICANT REQUEST - Request to change 1.24 acres from residential single-family and duplex district (R6) and office/residential district (OR20) to commercial service (CS) district property located at 4605 Georgia Avenue and 600, 602, 606, 608 and 610 47th Avenue North.

Existing Zoning

R6 district R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

OR20 district Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Proposed Zoning

CS district Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light manufacturing and small warehouse uses.

SUBAREA 7 COMMUNITY PLAN POLICY

Residential Medium (RM)- RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Nations-Urbandale Plan Area 5A - Area 5A of the Subarea 7 (West Nashville) Plan calls out this property as a "sensitive" location, and this designation includes the larger "nonconforming area of commercial zoning in the vicinity of I-40 and 46th Ave. North." This reference includes the existing Harley Davidson dealership and the existing CS/CL zoning cluster. For such sensitive locations, the plan says that the "expansion of nonconforming uses . . . is not intended, and any changes in those uses or zoning should be toward greater conformance with RM policy" (pp. 30-31, *Subarea 7 Plan: 1999 update*).

Policy Conflict - Yes. The uses permitted within the proposed CS zoning district are not consistent with the strictly residential development as called for by the Residential Medium land use policy for this site, and the CS zoning is particularly inconsistent with the specific language of the West Nashville Plan. The applicant has indicated an intent to expand the existing vehicular sales use, as well as construct a new retail/restaurant building on these properties.

Given the policy conflict, the applicant was notified by Planning staff of the need for applying for a subarea plan amendment to request a change to the land use policy to one that would allow commercial or mixed uses. A change in policy could permit the proposed CS district, the restaurant/retail uses, and the Harley Davidson facility expansion. Because the community plan is over six years old, the community desires for the area might have changed since that plan was adopted. Planning staff also suggested that the requested redevelopment/expansion might be appropriate for the use of a Planned Unit Development or the "Specific Plan" district, as recently adopted by Council. Any such PUD or SP request should be accompanied by a request to amend the Community Plan. To date, the applicant has not applied for a policy change, or a PUD or SP.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - No Exception Taken.

Typical Uses in Existing Zoning District: R6/OR20*

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.24	0.236	12,747*	271	37	94

*Assumes all of property is OR20

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	1.24	0.44	23,766	1017	Na	79

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.24	--	+11,019	746	Na	15

Maximum Uses in Existing Zoning District: R6/OR20

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Drive in bank (912)	1.24	0.10*	5,401	1242	67	247

*Adjusted as per use

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market(851)	1.24	0.12*	6,481	4783	435	340

*Adjusted as per use

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.24	--	+1,080	3541	368	93

Mr. Pereira presented and stated that staff is recommending disapproval.

Mr. Loring spoke in favor of approving this application.

Mr. Small moved, and Mr. Ponder seconded the motion to disapprove Zone Change 2005Z-152U-07. (8-1)

No Vote – Loring

Resolution No. RS2005-395

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005Z-152U-07 is **DISAPPROVED.**
(8-1)

The proposed CS district is not consistent with the areas Residential Medium policy calling for residential development at four to nine dwelling units per acre.”